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7  
8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION  
9 STATE OF CALIFORNIA

10  
11 In the Matter of

12 KENNETH WALLACE,

13  
14  
15  
16 Respondent.

FPPC No.: 01/093

STIPULATION, DECISION, and  
ORDER

17  
18 Complainant Mark Krausse, Executive Director of the Fair Political Practices Commission,  
19 and Respondent Kenneth Wallace hereby agree that this stipulation will be submitted for  
20 consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

21 The parties agree to enter into this stipulation to resolve all factual and legal issues raised  
22 in this matter and to reach a final disposition without the necessity of holding an administrative  
23 hearing to determine the liability of Respondent.

24 Respondent understands, and hereby knowingly and voluntarily waives, any and all procedural  
25 rights set forth in sections 83115.5, 11503 and 11523 of the Government Code, and in section 18361  
26 of title 2 of the California Code of Regulations. This includes, but is not limited to, the right to  
27 personally appear at any administrative hearing held in this matter, to be represented by an attorney at  
28 Respondent's own expense, to confront and cross-examine all witnesses testifying at the hearing, to

subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

It is further stipulated and agreed that Respondent Kenneth Wallace violated the Political Reform Act by failing to disqualify himself from making and participating in making governmental decisions that had a reasonably foreseeable material financial effect on his interests in real property, in violation of section 87100 of the Government Code (2 counts), as described in Exhibit 1. Exhibit 1 is attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

Respondent agrees to the issuance of the decision and order, which is attached hereto. Respondent also agrees to the Commission imposing upon him an administrative penalty in the amount of Three Thousand Five Hundred (\$3,500). A cashier's check from Respondent in said amount, made payable to the "General Fund of the State of California," is submitted with this stipulation as full payment of the administrative penalty, to be held by the State of California until the Commission issues its decision and order regarding this matter. The parties agree that in the event the Commission refuses to accept this stipulation, it shall become null and void, and within fifteen (15) business days after the Commission meeting at which the stipulation is rejected, all payments tendered by Respondent in connection with this stipulation shall be reimbursed to Respondent. Respondent further stipulates and agrees that in the event the Commission rejects the stipulation, and a full evidentiary hearing before the Commission becomes necessary, neither any member of the Commission, nor the Executive Director, shall be disqualified because of prior consideration of this stipulation.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Mark Krausse, Executive Director  
Fair Political Practices Commission

Dated: \_\_\_\_\_

\_\_\_\_\_  
Kenneth Wallace, Respondent

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IT IS SO ORDERED.

Liane M. Randolph, Chairman  
Fair Political Practices Commission